

REMARKS

In the Office communication, the examiner issued an election/restriction order, finding that the claims 1-80 define three separate inventions:

Invention I: claims 1-33 and 47-61.

Invention II: claims 34-46

Invention III: claims 62-80.

Applicant elects invention I, but wishes to amend claim 62 and traverse the restriction requirements. As amended, claim 62 is clearly drawn to a method for collecting electromagnetic data, just as are claims 1 and 47. Therefore, amended claim 62 is a claim to invention I. A complete listing of the claims is included herein. Applicant points out that amended claim 62 contains all limitations of claims 1 and 47, expressed in substantially the same language. Thus there is no issue of support for the amended wording.

Independent claim 34 is indeed drawn to a sub-combination of Invention I. However, Applicant respectfully disagrees that inventions I and II are distinct. The focused electromagnetic source of claim 34 would never be used in well logging, as suggested by the examiner, because there is no need in well logging to focus a source at a given depth. Such focusing is needed only when the source must be located remote from the subsurface intervals of interest. In well logging, the source is simply lowered to the depth where an interval of interest intersects the wellbore. Therefore, under MPEP 806.05(c), inventions I and II are not distinct. Even assuming they were distinct, they will not support a restriction requirement because they do not require a separate search, it being believed that the first two steps of claim 1, which are equivalent to claim 34, are a novel and inventive feature of claim 1. (MPEP 808.02) Furthermore Applicant respectfully disagrees with classifying invention II in class 367. Class 367 is limited to communication of information as an electric signal, but only where the signal represents information obtained from an acoustic wave. There

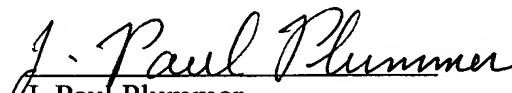
is no acoustic wave component in the technology called controlled source electromagnetic surveying, which is where the present invention falls. Inventions I and II belong in the same classification, and therefore cannot be subjects of a restriction order.

CONCLUSION


Applicant elects invention I, but has shown above that claims 34-46, and claims 62-80 as amended, are in fact also claims either to invention I or else to a related invention for which restriction is improper. Accordingly, Applicant requests that the examiner withdraw all restriction orders in the present application. If the examiner wishes to discuss this application with counsel, please contact the undersigned.

Respectfully submitted,

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